



PATENT  
Customer No. 22,852  
Attorney Docket No. 4329.2682-00

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Masanori WATANUKI ) Group Art Unit: 2644  
Application No. 09/963,578 ) Examiner: D. E. Faulk  
Filed: September 27, 2001 ) Confirmation No.: 9687  
For: MUSIC REPRODUCTION )  
APPARATUS, AUDIO PLAYER, )  
AND HEADPHONE )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

In a Notice of Non-Compliant Amendment mailed November 28, 2005, the Examiner alleged that the Response to Restriction Requirement filed July 15, 2005, failed to elect claims readable "on the elected invention." (See page. 2.) In reply to the Notice of Non-Compliant Amendment with a period for response extending through January 30, 2006 (January 28, 2006, being a Saturday), by the attached Petition for Extension of Time (one-month) and requisite fee payment, Applicant respectfully requests consideration of this Response to Notice of Non-Compliant Amendment.

In the Notice of Non-Compliant Amendment, the Examiner required restriction under 35 U.S.C. § 121 between the following species, as characterized by the Examiner: